

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

Wendell Lukie,	)	C/A No. 4:18-2979-MBS
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	<b>ORDER</b>
Andrew Saul,	)	
Commissioner of Social Security	)	
Administration,	)	
	)	
Defendant.	)	
_____	)	

Plaintiff Wendell Lukie filed the within action on November 2, 2018, seeking judicial review of Defendant Commissioner of Social Security Administration’s decision denying his claim for disability insurance benefits. By order dated January 9, 2020, the court remanded the Commissioner’s decision for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On April 9, 2020, Plaintiff filed a motion under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412, seeking attorney fees in the amount of \$3,534.38 and expenses in the amount of \$20.64. The government did not oppose the motion and, on July 2, 2020, the court issued an order granting the motion and authorizing payment. ECF No. 35.<sup>1</sup>

The matter is now before the court on Plaintiff’s motion for attorney fees filed pursuant to the Social Security Act, 42 U.S.C. § 406(b). ECF No. 36. Plaintiff’s counsel seeks reimbursement in the amount of \$5,617.50 and represents that such reimbursement does not exceed 25 percent of the past due benefits awarded to Plaintiff. The government

---

<sup>1</sup> The federal government offset the entire EAJA fee award to pay Plaintiff’s federal debt. See ECF No. 37 at 2.

does not oppose the motion. *See* ECF No. 37.

The court has reviewed the motion and supporting documents and finds that the amount requested in fees is reasonable. Accordingly,

IT IS ORDERED that Plaintiff's motion for attorney's fees pursuant to the Social Security Act, 42 U.S.C. § 406(b), is granted and payment is authorized to Paul T. McChesney, Esquire, in the amount of \$5,617.50.

/s/Margaret B. Seymour  
Margaret B. Seymour  
Senior United States District Judge

June 10, 2021  
Columbia, South Carolina